

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Monroe Bank & Trust v Riverfront Plastic Products Inc**

Docket No. **289709**

L.C. No. **08-100066-CR**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal is DISMISSED for lack of jurisdiction. The December 17, 2008 order is not a final order appealable of right. MCR 7.202(6)(a); MCR 7.203(A)(1). Particularly, it is not a final order under MCR 7.202(6)(a)(i), because neither appellant nor appellee are actual parties to this case and further, even if they were, the December 17, 2008 order directing appellant to dismiss its complaint against appellee in a separate action *without prejudice* does not actually dispose of the claim(s) in that complaint. At this time, appellant may seek to appeal the December 17, 2008 order only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 23 2009

Date

Sandra Schultz Mengel
Chief Clerk